

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

CERTAIN UNDERWRITERS AT
LLOYD’S, LONDON,

Plaintiff,

vs.

No. 2:09-cv-02533-STA-tmp

LINDEN AVENUE PROPERTIES;
MERCHANTS AND FARMERS BANK; and
CADENCE BANK, N.A.,

Defendants.

**STIPULATION FOR DISMISSAL OF
DEFENDANT, CADENCE BANK, N.A., WITHOUT PREJUDICE**

Come now the Plaintiff, Certain Underwriters at Lloyds, London (“Underwriters”), and the Defendants, Linden Avenue Properties, Merchants and Farmers Bank, and Cadence Bank, N.A. (“Cadence”), and hereby stipulate and agree that the Complaint in this Cause is dismissed without prejudice as to Cadence, only, with each party to bear its own costs. This Stipulation for Dismissal without Prejudice in no way affects Underwriters’ causes of actions or the Complaint as to any other Defendant in this Cause, and the other Defendants consent to the dismissal without prejudice of Cadence, only.

Respectfully Submitted,

BRATTON, O’NEAL & THORP, P.C.

By /s/ Allan B. Thorp

Allan B. Thorp (008129)

Gregory W. O'Neal (15860)
675 Oakleaf Office Lane, Suite 200
Memphis, Tennessee 38117
(901) 684-6100
(901) 684-6106 (fax)

Attorneys for Certain Underwriters at
Lloyds, London

/s/ John L. Ryder
By Allan B. Thorp, w/permission
John L. Ryder, Esq.
Harris Shelton Hanover Walsh, PLLC
One Commerce Square,
Suite 2700
Memphis, Tennessee 38103

Attorney for 200 Linden Avenue Properties, G.P.

/s/ David Shelton
By Allan B. Thorp, w/permission
David Shelton, Esq.
1223 Jackson Avenue East, Suite 202
P.O. Box 2541
Oxford, MS 38655

Attorney for Merchants and Farmers Bank

/s/ T. Robert Abney
By Allan B. Thorp, w/permission
T. Robert Abney, Esq.
Cochran, Uhlmann, Abney Duck & Wright
5050 Poplar Avenue, Suite 1134
Memphis, Tennessee 38157

Attorneys for Cadence Bank, N.A.